

DUTY ON WORKS OF ART.

APRIL 21, 1884.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. HURD, from the Committee on Ways and Means, submitted the following

REPORT:

[To accompany bill H. R. 6751.]

The Committee on Ways and Means, to whom were referred certain bills, petitions, and papers relating to the discriminating duty on imported works of art the productions of foreign artists and of American artists in foreign countries, submit the following report:

The two provisions of existing law in question are the following:

Paintings in oil or water colors and statuary, not otherwise provided for, 30 per cent. ad valorem; but the term statuary as used in the laws now in force imposing duties on foreign importations shall be understood to include professional productions of a statuary or of a sculptor only.

In the free list are included:

Works of art: Painting, statuary, fountains, and other works of art, the production of American artists.

Thus it appears that identical articles imported from the same country are admitted subject to duty or free according as they are wrought by an artist of one nationality or another, working in the same country and exporting from the same port. Friendly Governments, and especially that of Italy, have earnestly remonstrated against such a discrimination between their own citizens and residents of their own territory. They charge it to be a violation of our international treaties, which were intended to secure equal and reciprocal rights to the respective citizens of the two countries in respect to both imports and exports. The American artists, supposed to be interested in the discrimination, have, by petition, requested its repeal, and have advised the committee of their fears that its continuance will result in their deprival of the important facilities now granted them abroad for the prosecution of their work. They beg that there may be no discrimination by law between their own works and the works of the artists of the country where they reside and whose hospitable advantages they enjoy.

Your committee, whose attention has been also called to the subject by our own Government, are informed that expression has been given in the Italian Parliament to the sense of injustice involved in this discrimination against their own compatriots, working side by side with Americans, to whom the Government allows every facility granted to their own people. The French Government is also inclined to consider this discrimination as an excuse for acts prejudicial to American merchandise imported into France.

The committee recall no other instance in our legislation where a duty is imposed or exemption made according to the allegiance of the individual workman producing the article imported. If the foreign Governments complaining should impose a duty of 30 per cent. on American merchandise, with a proviso that if such merchandise is prepared and shipped by one of its own citizens resident in the United States it should be admitted free of duty, it requires no reflection to anticipate the remonstrance of American citizens engaged in the same business. We should be promptly urged to correct the injustice to our own people by retaliatory legislation, or by refusing our hospitality to the foreigner whose presence involved such prejudice and loss to our own citizens.

Your committee regard the discrimination as unjust and unjustifiable in principle, and recommend its abolition. It may be abolished in either one or two modes: all such works of art, irrespective of their authorship, may be subjected to the same duty, or all may be admitted free, as the American works now are.

The revenue derived from that source is not an item of importance to the Treasury.

In view of the fact that for many years prior to 1883 the duty was 10 per cent. ad valorem, your committee recommend that the duty be now made uniform at the rate of 10 per cent., without discrimination of the nationality of persons producing the works. They therefore recommend the passage of the accompanying bill, which proposes to accomplish that result in conformity with the spirit of our treaties.

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